

# Notice of Allowability

Application No.

10/626,650

Examiner

Jeff Piziali

Applicant(s)

YAMASHITA ET AL.

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## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment filed 17 August 2007.
2. ☒ The allowed claim(s) is/are 18-21 and 23-26 (renumbered as claims 1-8).
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

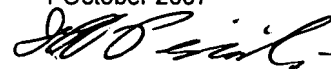
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                     |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|  | 9. <input type="checkbox"/> Other _____   |

Jeff Piziali  
1 October 2007



## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Election/Restrictions***

2. Applicant's election without traverse of Invention I (i.e., claims 18-21 and 23-26) in the reply filed on 17 August 2007 is acknowledged.
3. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

### ***Drawings***

4. The drawings were received on 27 December 2005. These drawings are acceptable.

### ***Allowable Subject Matter***

5. Claims 18-21 and 23-26 (renumbered as claims 1-8) are allowed.
6. The following is an examiner's statement of reasons for allowance:

The present invention comprises a method of measuring luminance of an image display apparatus. The prior art, *D'Souza et al (US 6,862,029 B1)* discloses a method of measuring luminance of an image display apparatus [Fig. 1; 10] having a plurality of pixels [Fig. 1; 14], comprising: a first step of causing a plurality of the pixels that are not adjacent each other in a plurality of the pixels arranged in a first direction to emit light in a first period (i.e. red pixels along a horizontal line/row of the CRT/FED-type display's grid/matrix -- wherein horizontally neighboring red pixels will inherently be separated from each other by green and blue pixels spaced along the same horizontal line/row), and causing a plurality of the pixels that are adjacent to the plurality of the pixels emitting light in the first period in the first direction not to emit light in the first period (i.e. green or blue pixels along a horizontal line/row of the CRT/FED-type display's grid/matrix); a first detecting step [Fig. 1; 18] of detecting each of emission statuses of the plurality of the pixels emitting light in said first step by imaging light from the plurality of the pixels emitting in the first period on respective different positions of a sensor device [Fig. 1; 18] in a plane of which optical sensors are arranged (see Column 6, Lines 17-48); a second step of causing a plurality of the pixels that do not emit light in said first step in the plurality of the pixels arranged in the first direction to emit light, and a second detecting step of detecting each of emission statuses of the plurality of the pixels emitting light in said second step (see Column 3, Lines 1-47 -- wherein brightness output is detected/measured one RGB color at a time).

However, as argued by the applicant (on Pages 5-8 of the Amendment filed 30 April 2007), the prior art does not expressly teach the subject matter of *measuring luminance of a plurality of fluorescent materials by no less elements of an area sensor than a number of fluorescent materials in a measurement area, and that the measuring step comprises measuring*

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*luminance of a plurality of fluorescent materials which are caused to emit light by emitted electrons simultaneously emitted from electron-emitting devices arranged in the first direction and non-adjacent in the first direction*, in combination with the remaining features and subject matter of the instantly claimed invention.

This distinct structural and operational arrangement has been incorporated into all three independent claims (i.e. claims 18 and 19 -- renumbered as claims 1 and 2), thereby rendering them allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeff Piziali whose telephone number is (571) 272-7678. The examiner can normally be reached on Monday - Friday (6:30AM - 3PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached on (571) 272-7681. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Jeff Piziali  
1 October 2007